

City of South Bend
Council Meeting
Monday, August 8, 2016 @ 5:30 pm
Council Chambers
1102 W. First Street, South Bend, WA

1. Call to Order
2. Pledge of Allegiance
3. Approval of Agenda and Consent Agenda
Approval of Minutes: *July 25, 2016*
4. Correspondence
5. *Shoreline Management Plan – John Kliem, Creative Community Solutions*
6. Items from the Public **[3 Minute Limit]**
7. Department Head Reports:
 - i) Police Chief Eastham
 - ii) City Supervisor Houk
 - iii) Clerk/Treasurer Roberts
 - iv) Fire Department
8. Mayor's Report
9. Council Comments
10. Adjournment

Next Regular Meeting: Monday, August 22, 2016 @ 5:30 PM

South Bend Council Meeting

Monday, August 8, 2016

CONSENT AGENDA

1. Approval of Vendor Checks

Vendors – Check #42227 thru Check #42273 - \$156,836.84

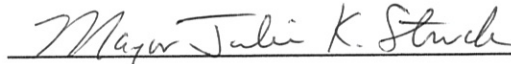
2. Approval of Payroll Checks

Payroll – Check #24082 thru Check #24098 Including Direct Deposit - \$95,335.29

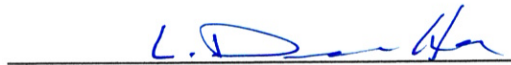
08/08/16

	VENDOR	AMOUNT	
42227	ALS Environmental	\$ 58.00	Water Samples
42228	Ashley Construction, Inc.	\$ 31,622.40	Miscellaneous Professional Services - Water Fund (Martin Creek Dam)
42229	Borden's Auto Parts	\$ 21.38	Repair/Maintenance - Water Fund
42230	Bud's Lumber & Electric	\$ 199.61	Operating Supplies -Docks \$9.90, Streets \$38.72, Water \$143.44 and Garbage \$7.55
42231	CenturyLink	\$ 1,344.01	All Depts
42232	Cintas Fire Protection	\$ 134.82	Annual Extinguisher Inspection - Library
42233	Code Publishing, Inc.	\$ 1,731.19	SBMC Update
42234	Colburn Timber, Inc.	\$ 320.00	Hauling of Piling - Rochester to Port of Willapa Harbor (Repair of Dock)
42235	Comcast	\$ 59.95	Internet - WTP
42236	Creative Community Solutions, Inc.	\$ 6,611.20	Shoreline Management Plan Update - DOE Grant Funded
42237	Crystal Springs	\$ 43.67	Water Service
42238	Dave Williams	\$ 200.00	Noxious Weed Spraying - August 2016
42239	Day Wireless Systems	\$ 283.98	Outfitting of New Police Car
42240	Dennis Company	\$ 136.14	Operating Supplies - Water Fund
42241	Dept of Ecology	\$ 3,403.00	Annual Wastewater Permit Fee
42242	Dept of Revenue - EFT Pay	\$ 7,853.00	July 2016 Excise Tax on Water/Sewer/Garbage and Excise Tax on Out of State Purchases
42243	Employment Security Dept	\$3,578.38	2nd Quarter 2016 Unemployment - J Kinney
42244	Galls, LLC	\$ 689.83	Outfitting of New Police Car
42245	Gray & Osborne, Inc.	\$ 5,901.29	Prof Services - TIB Work \$1,010.99, Revised Pacific Sunset Plat \$310.17 Fliess Creek \$1,010.99 & WTP Upgrade \$3,569.14
42246	H.D. Fowler	\$ 179.48	Operating Supplies - Water Fund
42247	HB Portables	\$ 100.00	Portable Toilet Rental (2)
42248	Invoice Cloud - EFT Pay	\$ 83.40	July 2016 Portal Access Fee
42249	L.N. Curtis and Sons	\$ 118.80	Repair/Maintenance - Fire Dept
42250	Margie Packard	\$ 160.99	July 2016 Library Janitorial
42251	Naselle Rock & Asphalt Company	\$ 712.47	Asphalt - Street Fund
42252	National Hose Testing Specialties, Inc.	\$ 3,584.25	Annual Hose Testing - Fire Department
42253	Nova Contracting, Inc.	\$ 52,006.59	Central Avenue Sewer Line Replacement Project Pay Request #5 - CDBG Funded
42254	Office of Financial Management	\$ 7,061.18	July 2016 Fines & Forfeitures
42255	One Call Concepts, Inc.	\$ 5.28	Locates
42256	Oregon Corrections Enterprises	\$ 25.00	Street Signs
42257	Pacific County Dept of Public Works	\$ 1,668.57	August 2016 Eklund Park

42258	Pacific County Prosecutors Office	\$	81.29	July 2016 Crime Victims
42259	Pioneer Grocery	\$	20.34	Miscellaneous - City Hall \$5.89 and Library \$14.45
42260	Pitney Bowes	\$	1,000.00	Postage
42261	Pitney Bowes	\$	201.00	Postage Meter Lease - 04/30-07/29/16
42262	PUD #2	\$	7,720.89	All Depts
42263	Raymond Fire Department	\$	226.66	MERTS Training - South Bend Fire Dept
42264	Royal Heights Transfer Station, Inc.	\$	10,868.24	Dump Fees
42265	Shaw	\$	1,800.36	Lift Repairs - Library
42266	South Bend Pharmacy	\$	42.35	UPS Fees - Water Fund
42267	Staples	\$	1,012.34	Office Supplies - City Hall \$109.97, Municipal Court \$91.75, Police \$551.51, Water \$129.55 and Sewer 129.56
42268	Steve's Front End & Brake, Inc.	\$	1,215.29	Repair/Maintenance - Streets/Water/Sewer
42269	The Watershed Company	\$	465.00	Shoreline Management Plan Update - DOE Grant Funded
42270	V & N Auto Parts	\$	597.31	Repair/Maintenance - Police \$575.94 and Water/Sewer \$21.37
42271	VISA - EFT Pay	\$	79.96	Police \$79.96
42272	Vision Forms LLC	\$	635.83	Statement Automation
42273	Wilson Oil dba Wilcox & Flegel	\$	972.12	Fuel - Public Works
TOTAL		\$	156,836.84	



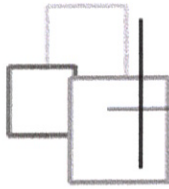
Mayor Struck



City Supervisor Houk



Police Chief Eastham



Register

Number	Name	Fiscal Description	Cleared	Amount
<u>24082</u>	Ekman, Jace	2016 - July - Second Council Meeting - July		\$1,800.00
<u>24083</u>	Houk, Dennis	2016 - July - Second Council Meeting - July		\$1,650.00
<u>24084</u>	Ashley, Alan	2016 - July - Second Council Meeting - July		\$92.35
<u>24085</u>	Ekman, Jace	2016 - July - Second Council Meeting - July		\$1,065.56
<u>24086</u>	Houk, Dennis	2016 - July - Second Council Meeting - July		\$3,139.34
<u>24087</u>	Olsen, Lisa	2016 - July - Second Council Meeting - July		\$110.27
<u>24088</u>	Phillips, Tristan	2016 - July - Second Council Meeting - July		\$1,589.02
<u>24089</u>	AFLAC	2016 - July - Second Council Meeting - July		\$454.53
<u>24090</u>	Association of WA Cities	2016 - July - Second Council Meeting - July		\$2,573.94
<u>24091</u>	Dee Roberts-Coffee Fund	2016 - July - Second Council Meeting - July		\$42.00
<u>24092</u>	Dept of Labor & Industry	2016 - July - Second Council Meeting - July		\$4,258.23
<u>24093</u>	Dept of Retirement Systems	2016 - July - Second Council Meeting - July		\$9,900.05
<u>24094</u>	Nationwide Retirement Solutions	2016 - July - Second Council Meeting - July		\$405.00
<u>24095</u>	Teamster's Local #252	2016 - July - Second Council Meeting - July		\$472.00
<u>24096</u>	The Bank of the Pacific	2016 - July - Second Council Meeting - July		\$17,524.60
<u>24097</u>	Washington Counties Insurance Fund	2016 - July - Second Council Meeting - July		\$406.00
<u>24098</u>	Washington Teamsters Welfare Trust	2016 - July - Second Council Meeting - July		\$12,568.30
<u>July 2016 Draw Payroll</u>	Payroll Vendor	2016 - July - Second Council Meeting - July		\$9,950.00
<u>July 2016 Regular Payroll</u>	Payroll Vendor	2016 - July - Second Council Meeting - July		\$27,334.10
				\$95,335.29

**CITY OF SOUTH BEND
COUNCIL MEETING – 07/25/16**

1-2. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The council meeting was called to order by Mayor Struck at 5:30 pm followed by the Pledge of Allegiance. Members present: Councilor Olsen, Councilor Williams, Councilor Neve, Councilor Webber, Police Chief Eastham, City Supervisor Houk and Clerk/Treasurer Roberts. Councilor Hall was absent.

3. APPROVAL OF AGENDA, CONSENT AGENDA AND APPROVAL OF MINUTES

A motion was made by Councilor Neve to approve the Agenda, the Consent Agenda and the minutes of the July 11, 2016 regular meeting. The motion was seconded by Councilor Olsen. **Vote: Ayes-4, Noes-0, Absent-1**

Vendors – Check #42192 thru Check #42226 - \$63,150.53

4. CORRESPONDENCE – NONE

5. PUBLIC HEARING @ 5:31 PM – SIX YEAR TRANSPORTATION IMPROVEMENT PLAN FOR 2017-2022

Mayor Struck opened the public hearing at 5:31 pm and gave the public an overview of the projects as follows:

Priority #	Road Name	Begin	End	Phase Start Year
1	Kendrick Street	Highway 101	First Street	2017
2	First Street	Weir Street	Kendrick Street	2018
3	West 4 th Street	Willapa Avenue	Pacific Avenue	2018
4	Adams Street	Highway 101	Water Street	2019
5	Pacific Avenue	West 4 th Street	First Street	2019
6	Washington Street	Highway 101	East 3 rd Street	2020
7	Madison Street	Highway 101	First Street	2020
8	Jefferson Street	Highway 101	First Street	2021
9	First Street	"A" Street	"C" Street	2021
10	First Street	Jackson Street	Harrison Street	2022
11-Sidewalk	Highway 101 (West)	Pacific Avenue	"A" Street	2017
12-Sidewalk	Highway 101 (East)	N Side Coast	End of Existing	2017
13-Sidewalk	Highway 101 (West)	Willapa Avenue	Central Avenue	2018
14-Sidewalk	Highway 101 (East)	Mid Alder Street	Willapa Avenue	2018
15-Sidewalk	Highway 101 (North)	Weir Street	Cedar Street	2019

There was no comments from the public and Mayor Struck closed the public hearing at 5:36 pm.

6. CENTRAL AVENUE – GRAY & OSBORNE, INC.

Mayor Struck introduced Eric Noah from Gray & Osborne, Inc. who would be presenting information regarding the Central Avenue Sewer Line Replacement Project and the contractor responsible for the project, NOVA Contracting, Inc.

Mr. Noah gave a brief overview of what the project original entailed and then explained where the project currently stood. The bottom line being the project is late and over budget. The council and staff also received a memorandum from Mr. Noah and Mike Johnson, P.E. of Gray & Osborne, Inc. listing four options for completing the Central Avenue Project based on potential funding and the current contractor's ability to perform.

Mr. Noah laid out the four options which are:

1. Deny the changed condition claim and require NOVA to complete the work with no additional compensation.
2. Require NOVA to complete the work and negotiate a cost for dewatering based on a changed condition
3. Terminate the Contract with NOVA and rebid the remaining work in the Contract
4. Have NOVA complete a reduced scope of work within the available grant funding (requires CDBG approval)

Options 1-3 require varying degrees of additional funding with additional costs to the city. Option 4 would have no immediate cost to the city, but would leave the project incomplete and require the city to look for funding in 2017 to complete the project.

Councilor Olsen asked if there was any recourse to prevent them from performing under a Community Development Block Grant (CDBG) in the future. Mayor Struck explained that there are clauses in their current contract where it explains what needs to be documented should the contractor be substandard and Mayor Struck said that documentation would be put in place should they ever bid on a job for South Bend again. Councilor Williams asked if the other two bidders on the project took the dewatering issue into consideration when preparing their bid and Mr. Noah felt that due to the high cost of piping on the other two bids it was felt that yes, they had. Mayor Struck noted that there is one clause in the contract that states the contractor is to notify the city immediately if there are any issues and according to NOVA this is something that was discovered a year ago, but was not brought up until now – a year later. Councilor Webber asked Mayor Struck what her recommendation would be. Mayor Struck was adamant that she was not in favor of a loan or even a loan/grant package to complete the project. The citizens already were paying more than their fair share and she would not support a loan to complete this project. Councilor Olsen asked if the city stops NOVA now would that preclude the city from future funding. Mr. Noah explained that there is still money sitting on the table for this project and it would need to be used or it would have to be returned. If the city decided to let NOVA finish as much as they could with the money that is left and then went to look for funding next year to complete what was left he didn't think that would be an issue. City Supervisor Houk explained that no matter what this project will not be completed this year. Councilor Neve would just like to see them gone! Mayor Struck believes that she could appeal to the legislature in 2017 for a special appropriation and this project just might get funded.

Steve Rogers, President of the Pacific County Historical Society and Museum expressed his concerns about NOVA and the work that they would be doing around 226 Pacific Avenue. The museum has been holding off starting construction on a 3,000 sq. ft. building they had hoped to have completed by now because of this construction and they can't wait any longer, but if NOVA starts digging again they are concerned it could damage the foundation. Further discussion following including discussion with Citizen Don Corcoran who will be overseeing the construction of the building.

Following some additional discussion Councilor Olsen made a motion authorized Eric Noah of Gray & Osborne, Inc. to negotiate with NOVA Contracting, Inc. and CDBG for *Option #4 - Have NOVA complete a reduced scope of work within the available grant funding (requires CDBG approval)*. The motion was seconded by Councilor Webber. **Vote: Ayes-4, Noes-0, Absent-1**

This is with the understanding that if CDBG does not approve the reduced scope of work it will come back to the council for review, discussion and approval of one of the other options (#1-3)

Mayor Struck thanked Mr. Noah for coming down and explaining the city's options to the council and staff. It was very much appreciated. Gray & Osborne, Inc. have always done an excellent job for the city and it has not gone unnoticed.

7. ORDINANCE #1513 – ADDING CHAPTER 12.30 – TRANSPORTATION DEVELOPMENT (SECOND READING)

Councilor Williams made a motion accepting Ordinance #1513 – Transportation Development as presented. The motion was seconded by Councilor Olsen. **Vote: Ayes-4, Noes-0, Absent-1**

8. RESOLUTION #2016-07 – ADOPTING SIX YEAR TRANSPORTATION IMPROVEMENT PLAN FOR 2017-2022

Councilor Neve made a motion accepting Resolution #2016-07 – Adopting Six Year Transportation Improvement Plan for 2017-2022 as presented. The motion was seconded by Councilor Olsen. **Vote: Ayes-4, Noes-0, Absent-1**

9. ITEMS FROM THE PUBLIC

- ✓ Citizen Paul J. DeMeo (1604 W First Street) asked what the status of the house was that is located at 1610 W. First Street (Heidi Keller's Property). City Supervisor Houk responded that she had come in and renewed the expired building permit. Mr. DeMeo explained that the back porch is caving in, there are rodents coming from the house and there are a plethora of mosquitos due to the overgrown weeds/brush. City Supervisor Houk advised he will contact her again.

10. DEPARTMENT HEAD REPORTS

- ✚ Police Chief Eastham mentioned the homicide, as reported in the local paper, was resolved with the subject set to be sentenced on August 5, 2016 to one count of homicide and one count of 3rd degree rape and will likely serve 20 years and then face deportation. Police Chief Eastham thanks police secretary Zoe Sowa for all of her hard work on this case as she did almost as much work as all of the offices put together. The whole department did an outstanding job.
- ✚ City Supervisor Houk explained that the public works crew have been busy cleaning out Martin Creek Dam and Impoundment of organics and sediment. The water treatment plant was doing a CIP (acid wash) every 250 hours as opposed to every 1,000 hours because there was so much silt and sediment. When the project is completed it will return more water and should eliminate all of the organics in the impoundment. They are also replacing some screens and valves and adding some rip/rap to help stop the silt from sluffing into the impoundment. City Supervisor Houk did note that everything that could go wrong has gone wrong since they started working on this project. It was supposed to only take two days and they are into day five now. City Supervisor Houk thanked the crew for all of their hard work, noting it is dirty work and they are doing a great job.

11. MAYOR'S REPORT

- ❖ Mayor Struck congratulated Clerk/Treasurer Roberts on becoming the Washington Municipal Clerks President Elect.
- ❖ Mayor Struck congratulated all of the South Bend police officers for a great job on the homicide case and to all of the officers in blue for their work especially during the recent gut-wrenching police officer killings in Dallas and Baton Rouge. Mayor Struck explained that not only does she work around some amazing officers she has two sons that put on a uniform every day and it is tough knowing they could be in harm's way every time they leave the house.
- ❖ Mayor Struck pointed out that three pop-up restaurants have started up around the Ray Spurrell Walkway. It is great to see something new and exciting going on in that area.

- ❖ Mayor Struck announced that the City of South Bend/Come Play on Labor Day would again have a booth at the Pacific County Fair (August 24-27).
- ❖ Mayor Struck asked the council for permission for the Pitchwood Ale House to set up a beer garden at Cheney Park over Labor Day during the softball tournament. Councilor Neve made a motion allowing a beer garden at Cheney Park over Labor Day. The motion was seconded by Councilor Williams. **Vote: Ayes-4, Noes-0, Absent-1**

Police Chief Eastham noted that last year everything went off without a hitch.

12. COUNCIL COMMENTS

- Councilor Webber asked when the city would be spraying for mosquitos again. She was advised that they sprayed July 18th & 19th and they will be back on August 1st and 2nd. Councilor Webber advised that the mosquitos around her place (603 W. First St) are terrible. She will send Edward Horvath from Three Rivers Mosquito and Vector Control an email so he knows there are issues in her neighborhood.
- Councilor Neve also brought up the house that is located at 1610 W. First Street (Heidi Keller's Property). Councilor Neve also explained that the back porch is caving in, there are rodents coming from the house and there are a plethora of mosquitos due to the overgrown weeds/brush.
- Councilor Neve explained that Claudette Kelly who lives at 215 Central recently had her cat killed by a dachshund that is constantly running loose along with another small black and white dog. These dogs are not licensed and are always loose.
- Councilor Neve thanked the South Bend Police Department for a job well done.
- Councilor Olsen thanked the South Bend Police Department and the Public Works Department for jobs well done.

13. ADJOURNMENT

The meeting was adjourned at 6:31 PM to meet again at 5:30 PM on Monday, August 8, 2016 for the next regularly scheduled meeting at South Bend City Hall.

Julie K. Struck
Mayor

ATTEST: _____
Dee Roberts
Clerk/Treasurer

**2016 South Bend Municipal Court
Monthly Recap**

	2016 Total Fines & Forfeitures	Less Payment to Office of Financial Management	Less Reimbursements and/or Restitution	2016 Net Total to Budget	2015 Net Total to Budget
Jan-15	\$9,487.06	(\$4,387.34)	(\$401.23)	\$4,698.49	\$6,615.85
Feb-15	\$11,889.75	(\$4,593.01)	(\$184.01)	\$7,112.73	\$4,439.81
Mar-15	\$12,572.00	(\$4,998.49)	(\$111.85)	\$7,461.66	\$7,248.46
Apr-15	\$14,055.50	(\$4,668.43)	(\$112.45)	\$9,274.62	\$10,141.14
May-15	\$9,084.69	(\$4,901.76)	(\$111.24)	\$4,071.69	\$6,953.01
Jun-15	\$20,381.00	(\$6,853.64)	(\$102.20)	\$13,425.16	\$8,342.17
Jul-15	\$18,394.00	(\$7,061.18)	(\$122.29)	\$11,210.53	\$15,397.76
Aug-15					\$15,219.12
Sep-15					\$9,711.29
Oct-15					\$7,347.05
Nov-15					\$4,735.37
Dec-15					\$4,940.92
Total to Date	\$95,864.00	(\$37,463.85)	(\$1,145.27)	\$57,254.88	\$101,091.95